IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORIGINAL SIDE

APPEAL NO.945 OF 2005
IN
WRIT PETITION NO.2301 OF 2005

Jagruti Co-operative Housing Society Ltd. Appellants
vs.
The Deputy Registrar of Co-operative
Societies G/N ward and 8 ors. Respondents

Mr.S.D.Mulye for the appellants.

Mr.A.A.Joshi for the respondents 2 to 4.

Mr.P.G.Sawant, A.G.P. for respondents 1, 7 and 8.

CORAM : R.M. LODHA &
D.G. KARNIK, JJ.

DATED : 17th November 2005

P.C.

Heard.

2. Admit.

3. Mr.A.A.Joshi, advocate waives service for the respondents 2 to 4 and Mr.P.G.Sawant, A.G.P. waives service for respondents 1, 7 and 8. Service on respondent nos. 5, 6 and 9 is dispensed by consent of the learned counsel for the parties appearing before us. At their request, the appeal is heard finally at this stage.

4. After arguing the matter for some time, the learned

counsel for the appellant, the learned counsel for the respondents 2 to 4 and the learned counsel for the respondents 1, 7 and 8 agreed for the following order:

(i) The order dated 15.9.2005 passed by the learned Single Judge is set aside.

(ii) The order dated 17.10.2005 passed by the deputy Registrar superseding the Managing Committee of the appellant-Jagruti Co-op. Housing Society Limited is set aside.

(iii) The Managing Committee of the appellant-society shall convene the special general meeting on or before 20th December 2005 for consideration of the following agenda:

. "To consider the repairs to be carried out and contribution to be made by each member for carrying out the repairs and to consider the nature of repairs required."

(iv) No other subject shall be considered in

the special general meeting to be convened pursuant to this order.

(v) We record and accept the undertaking on behalf of the Managing Committee that the special general meeting shall be convened for consideration of the aforesaid agenda on or before 20th December 2005.

(vi) The administrator stands discharged.

. No costs.

(R.M.LODHA, J.)

(D. G. KARNIK, J.)